

MR. ELKUS TELLS OF SHOCKING CANNERIES CONDITIONS

Investigating Committee Counsel Shows How Women and Children Work Excessively Long Hours

Some months ago THE SUN published the startling news that the women employed in the International Harvester plant in the Auburn, N.Y., mill, were working in filthy and foul air, and that they worked longer hours than the law permitted, amid unsanitary surroundings and at starvation wages.

In the past few weeks the New York State Factory Investigating Commission, in the course of its inquiries into the conditions in the canneries, revealed a picture which is as shocking as the one which was exposed by the shocking conditions in the Auburn mill. Among the women working hard at the canneries are as young as 6 years old. Some of the children were working from 6 o'clock in the morning until 10 o'clock at night, with but few and brief intervals for rest.

When the women gave their reasons for working nights to the investigators, the reasons were so characteristic and so simple that they would be superfluous. "I want to work nights," said one, "because I want to take care of my children in the morning. . . . Why ain't men's wages so women wouldn't have to work nights? . . . I've spent lots of money on my eyes—the dust makes them sore. . . . It's hard to work nights, but I have to live. . . ."

Case No. 51 said: "I can't live on my salary of \$16 for two weeks. . . . I have to work nights to keep my children and my home in the day."

Case No. 74 said: "I would rather work nights if I could leave my baby with my mother. . . . I burn up my pay because my pay is so small I am burned."

Case No. 69 said: "You can't feed and keep a lot of children on what a man gets any more."

Case No. 66 said: "I am strong and healthy, and I am glad to work and take care of my children. Else what would become of them? . . . Don't let the night work by troubling the children. They might shut down and die," she pointed at her little girl.

"I will have nothing to eat and nothing to wear. I don't want to have to work days, then my children would be hungry."

Case No. 65 said: "If I can save enough and God will let me, some day I will go back to Poland. . . . My work there was much easier than here."

Case No. 57 said that when she had



particular. The commission also permitted the canners to call witnesses in their own behalf, a privilege of which they availed themselves, but which did not show any different conditions.

"I found several cases of women working as much as 119 hours a week. The wages they receive are small, generally about eight or ten cents an hour. In several instances, the time books kept by the canners containing a record of the hours of labor of their women employees were not correct. I remember one striking instance of falsification of the time book kept by a cannery. . . . In examining one of the canners last summer I found that his time book showed that in nearly every case the women worked exactly sixty hours a week, the maximum allowed by law. For instance, for one woman I found entries in the time book showing that she worked on Sunday 16 hours, on Monday 16½ hours, Tuesday 19½ hours, Wednesday 8½ hours, and that she did not work at all on Thursday, Friday and Saturday. This showed that the woman worked exactly sixty hours that week."

"My suspicions were aroused and I asked for the production of the daily time sheets showing the amount of money earned by the employees and the result was most astonishing. I found that the entries in the time book for Sunday, Monday and Tuesday were correct. But instead of working only 8½ hours on Wednesday the daily time sheet showed that the woman began working at a quarter of 7 on the morning of that day and finished at half past 2 the following morning, working a total of 19½ hours."

"Instead of not working at all on Thursday, Friday and Saturday, as the time book indicated, I found that this woman worked 16 hours on Thursday, 15½ on Friday and 17 on Saturday. In other words, instead of working only 69 hours that week, as the time book showed, this woman actually worked 119½ hours."

"Subsequent examinations of the time book showed that concealed in the lack of the time book was a statement of the overtime that the women worked, showing that they worked 100, 105, 110 and 119 hours a week, instead of 69 hours a week that the time book proper showed. The cannery admitted that his time book was purposely so arranged to show an apparent compliance with the law and so done to 'fool the factory inspector.'"

"I have a photograph of the time card of a woman who worked in a cannery. The card covers a period of two weeks. The first week she worked 117½ hours, for which she received \$11.75, or 10 cents an hour. She worked

Working for a Pittance.



House in Which 6 Children and 5 Adults Sleep, Eat and Work Amid Filth.

part of her finger cut off at the factory she went to the office after the wound was healed and asked to be paid for the loss.

"We pay only for the whole of a finger being cut off," she was told. Then they paid her \$16.38 for the loss of her time—five weeks."

Case No. 7 said: "People in Poland don't have to work so hard to make a living there. They live till they are very old. Here we are old when we are young."

Case No. 4 said: "We have to work nights. Babies can get along without it, but they have to have food."

Case No. 54 said: "I am strong. I am never sick. I don't mind working nights, no mother minds what she does for her babies. It's that way with a mother's heart that she could die and not mind it."

Abram J. Elkus, the lawyer, who is a member of the University of the State of New York and counsel for the Merchants Association, and who did effective work as chairman of the tariff committee during the recent campaign, is counsel for the New York State Factory Investigating Commission. He asked Mr. Elkus to state his opinion of the investigations he has conducted for the commission and to indicate some of the remedies suggested by the commission. Mr. Elkus replied:

"The one thing that impressed me in the course of the investigations into the factory commission has been the failure to consider the human element in industry. We have devoted much thought and money to the conservation of our natural resources, to the protection of our forests and to the conservation of our life, but we have neglected the conservation of human life. As a result of this neglect thousands of lives are annually lost through disease, accidents, industrial poisoning, and loss of health which could have been prevented by simple and inexpensive precautions."

"The State of New York we were told from our apathy by the occurrence of a great catastrophe—the Triangle Waist Company fire, in which 147 workers, mainly women and children, lost their lives. As a result of this disaster the New York State Factory Investigating Commission was created."

ated, with broad powers, to inquire into the conditions under which manufacturing was carried on, so that such remedial legislation might be enacted as would result in the more adequate protection of the men, women and children working in the factories of this State."

"The functions of the commission are to recommend remedial legislation for the protection of more than 1,250,000 workers in case of fire, for the prevention of accidents and industrial poisoning, for the improvement of sanitary conditions, the reasonable regulation of hours of labor, the amelioration of women's work and child labor. This is a gigantic task for any commission to undertake to perform."

"From the outset that portion of our work which dealt with child labor and the employment of women has been followed with the closest interest by the public. The entire State has been aroused by the almost unbelievable conditions prevailing in the canneries of the State, as brought to light in our investigations."

"When I came to study the cannery situation I found that among those who had considered the situation what was going on in the canneries was known in an indefinite and vague way. It was supposed that women were employed there during long hours and that young children were also at work in the cannery sheds, but the exact facts were uncertain."

"It was easy enough to send our inspectors in the regular way to get information from time books, if they were properly kept, and statistics of the usual sort, but it seemed to me that the way to bring the matter forcibly to the attention of the public was to have a first hand story, and so, under my instructions, women like Miss Chamberlain were found who were willing to sacrifice themselves and go to work in the canneries and produce concrete facts which could not be controverted, being obtained first hand and not depending upon what others said or saw. It was necessary of course to get women and men of education and character."

"Our investigation was thorough. Ten inspectors were sent into the cannery districts, and several of them obtained employment in the canneries in order to see at close range the conditions of the working people there. Every cannery in the State was inspected, and transcripts of the time books and payrolls were obtained."



Mother Reunites with Children after the Night Work.

"In the early part of August of last summer the commission spent a week in going from cannery to cannery, taking the testimony of the women and children found working there. The testimony of some of the canners was also taken. I found many children under 10 years of age at work in the cannery sheds, some of them as young as 6 and 7 years. But notwithstanding my personal observations I was hardly

prepared for the shocking and pitiful tales told by some of our investigators who worked in the canneries—stories of child slavery that sound almost incredible. "One of our investigators, Miss Chamberlain, found many children under 10 years of age, a few of them mere infants 4 and 5 years old, working in the sheds. She found children of tender years working from 6 o'clock in the

morning until 10 and 11 o'clock at night. These children were not playing, as some of the canners would have us believe. They were doing real work and in many cases were forced to work by their parents. "I examined the superintendent of the cannery in which one of our investigators found employment and testified that on one occasion there was a riot on the part of some of the Italian

women when he tried to keep their young children under 10 years of age from working in the cannery shed. In that very cannery, according to the testimony of our investigator, children of 10 and 11 were working away like machines, wrapped up in shawls and shivering with cold in the early hours of the morning."

"Here is a typical case recorded by our investigator: 'On August 20, little Jack, aged 12, worked from 4:30 A. M. until 10 P. M., snipping beans, with only one-half hour for dinner and only a few moments for supper. He said, 'My fingers is broke.' He said he was awfully tired, but his mother made him work. He tried to go home several times. His hands were swollen. His sister, aged 10, could hardly keep her eyes open, and her mother scolded her constantly.'"

"Several days later the same investigator wrote in the diary which she kept: 'This morning when I got to the shed at 7 Jack was sitting wrapped in a big shawl, very pale, with his black eyes just sagging out of his head. He had his fingers done up in a dirty rag. I asked him if he had to get up at 3 again. He said: 'They pulled me out of bed at 4 o'clock.'"

"A number of young children testified before us that they had worked in the sheds till late at night. This employment of young children in the cannery sheds was made possible by the decision of a former Attorney-General of this State which in effect held that a cannery shed, although in many cases physically attached to the cannery and containing machinery and means for artificial illumination, was not to be classed as a factory and was not subject to the factory regulations."

"While the factory law prohibits the employment of children under 14 years and limits their hours of labor to eight a day, under the decision of the Attorney-General children of any age may be employed in the cannery sheds for any number of hours a day."

"The result has been the employment of young children, who are deprived of the joys and pleasures that belong to childhood, and whose physical growth and mental and moral development are stunted."

"The commission permitted counsel for the canners to cross-examine all of our investigators, something unheard of in the record of any legislative commission, but their testimony under cross-examination was not changed in any

15 hours Monday, 20 hours Tuesday, 21 hours Wednesday, 19 hours Thursday, 21½ hours Friday and 21 hours Saturday."

"What effect working 16, 18 and 21 hours a day by a woman means to her health is a matter for serious thought."

"The night work of women is a matter to which the commission has given careful consideration. Such night work is undoubtedly one of the evils of modern industrial life. Night work by women has been prohibited in most of the European countries. In our own State we had a law which prohibited the employment of women in a factory after 9 o'clock in the evening or before 6 o'clock in the morning. This statute was, however, declared unconstitutional by the Court of Appeals in the Williams case on the ground that it interfered with a woman's freedom of contract and that it did not appear to be a health measure."

"In our investigations one notable case of night work by women was found in a large twine factory in Auburn. Night work of women has been going on in this plant for several years. There are about 200 persons in the night shift, of whom about 140 are women. They work from 7 P. M. to midnight, one-half hour for supper and from 12:30 to 5:30 A. M. five nights a week, or fifty hours a week."

"The women night workers earn from \$6 to \$10 a week. The work is arduous, the women being required to stand practically all the time. They are paid by the piece and speeding up is the rule."

"Of 100 night workers in this plant whose family history were inquired into seventy-seven were married, eighteen single and five widowed. Of the eighty-two married or widowed night workers seventy-five had children. Fifty-four babies whose mothers were night workers were less than 5 years old, twenty-four of them less than 1 year old. The employer preferred married women, so that the children could be taken care of by the women in the day time and by the husband at night."

"Night work of women has been prohibited in nearly every European country. There can be no valid reason urged for its continuance here. It is harmful to a woman physically, morally and in time is bound to affect her vitality as a mother. I hope that a statute prohibiting this night work

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